

REMARKS

This is in response to the Final Office Action mailed on March 20, 2006. Claims 45-52 were pending in the Office Action, and the Examiner rejected all claims. With this amendment all pending claims are unchanged in the application.

On April 18, 2006, an interview was held between Examiner Hu and the undersigned attorney. Applicants and the undersigned attorney thank Examiner Hu for the courtesy of granting an interview. During the interview, the undersigned attorney presented arguments similar to those presented below. No agreement was reached, but the Examiner agreed to consider the arguments if presented in a written response to the pending Office Action.

Claims 45-52 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,088,457 of Parkinson et al. Applicant respectfully traverses the Examiner's rejection.

The present invention deals with the content provider that provides a programming message to a mobile device having a one-way radio receiver (such as a pager). One problem with such a system arises in programming the mobile device. The mobile device (because it has only a one-way radio), cannot transmit an acknowledgement that it has been re-programmed. In one embodiment recited in independent claim 45, the pager synchronizes an acknowledgement of receipt of the message to a desktop computer, which, in turn, transmits the acknowledgement to the content provider.

As previously asserted in response to an earlier Office Action, there is simply no mention in Parkinson et al. of a mobile device synchronizing an acknowledgement to a desktop computer for transmission from the desktop computer to the content provider. Rather, for a message to be transmitted back to computer 1401 from pager 1405 in Parkinson et al., the pager must have a receiver/transceiver component 301. In other words, the Parkinson et al. pager both receives radio messages from the content provider and transmits radio messages back to the content provider with receiver/transceiver 301. There is no teaching or suggestion of a pager having a one-way radio and a synchronization component for synchronization of an acknowledge message with a desktop computer. Further, there is no suggestion of a desktop communication component to transmit the acknowledgement from a desktop computer back to the content provider.

Applicants previously traversed the argument that the timer circuit 303 in Parkinson et al. teaches the feature of synchronization of an acknowledge message sent to a desktop computer as recited in claim 45. This timing circuit has nothing to do with synchronization of messages from a mobile device to a desktop computer. Rather, Parkinson et al. sets the timer circuit on the mobile device to enable the pager to receive messages for a given period after the mobile device receives a proper request from a content provider. When the timer circuit has run for the given period of time, the timer circuit provides a signal to the processing logic on board the mobile device to disable the processing logic and end the processing of communications received by the external device. At no time during the operation of the

timer circuit does the mobile device synchronize with a desktop computer. It follows, then, that no message is sent to the desktop computer, and therefore there is no acknowledgement message sent to the provider from the desktop computer acknowledging receipt of previously transmitted messages from the provider to the mobile device.

In the current action, the Examiner indicates that the Applicants failed to consider the teaching of Parkinson et al. with respect to sending an acknowledgement message if it is specified. As support for this proposition, the Office Action cites column 5, lines 20-22. The Applicants respectfully submit that the language cited by the Office Action refers to a decision process within the mobile device to respond to messages that it has received. But that response does not include transmitting any sort of message to a desktop computer.

Parkinson et al. uses the word respond here to mean that the mobile device may act after receiving a message. In this case, the action is to reprogram itself. The language at column 5, line 20 refers to a security feature within the mobile device that prevents the mobile device from always responding, that is, always to programming when it receives a message sent to the programming address. The mobile device of Parkinson et al. will not respond - that is, it will not reprogram itself - unless it has previously received a request to program message within an allotted time, for example, within 5 minutes. Thus, the word "response" described in the cited language has nothing to do with communication from the mobile device to any external device.

Instead, response refers to internal reprogramming activities unrelated to communication.

The Examiner also points to the language in column 9 starting at line 32-57 as evidence that Parkinson et al. teaches the claimed subjected matter of claim 45. Parkinson et al. discloses one-way radio communication from a provider to a mobile device and two-way communication between a provider and a mobile device. The two-way communication requires a transmitter located within the mobile device and is inapposite to the recited invention. Further, it provides no teaching or suggestion of synchronization with a desktop computer, which then sends a signal to the provider to acknowledge the receipt of a message. In addition, Parkinson et al.'s description of a one-way paging system neither teaches nor suggests any transmission from the mobile device back to the provider, much less through the use of a synchronization process between the mobile device and a desktop computer.

Thus, the applicants respectfully traverse the arguments of the Office Action and submit that claim 45 and its dependent claims 46-50 are allowable over the reference cited. Withdrawal of the rejections is requested.

Independent claim 51 is directed towards a wireless transmission system for transmitting programming data to a mobile device having a one-way radio receiver thereon. The transmission system of claim 51 recites the feature of an originator component "configured to receive an acknowledge message, synchronized from the mobile device to a desktop computer, from a desktop communication component." The

Parkinson et al. reference does not teach or suggest at least that feature of claim 51.

As described above with respect to claim 45, there is no teaching, discussion, or suggestion in Parkinson et al. of a synchronization between a mobile device having one-way radio receiver and a desktop computer. The Final Office Action asserts that the originator component is configured to receive an acknowledge message synchronized from the mobile device to a desktop computer from a desktop communication component. The Office Action relies on element 301 of Parkinson et al. to teach this feature. However, element 301 is a two-way radio receiver/transceiver located within the mobile device, not a one-way radio receiver. As discussed above, there is no suggestion in the cited references of a mobile device with a one-way radio receiver having any capability to send an acknowledgement message. Further, there is no suggestion of any synchronization communication between the mobile device and a desktop computer. It does not contemplate an originator component receiving information from a desktop communication component that includes information synchronized from the mobile device to the desktop computer. Thus, the applicant respectfully submits that Parkinson et al. neither teaches nor suggests all of the features recited in claim 51. Withdrawal of the rejection is requested.

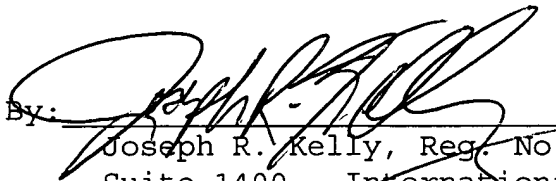
Independent claim 52 is directed towards a mobile device having a one-way radio configured to receive programming messages indicative of programming data from an originator component. Claim 52 includes the feature of "a synchronization component configured to synchronize to a

desktop computer an acknowledgement," in response to receiving programming messages from the originator component for "transmission back to the originator." As described above, Parkinson et al. neither teaches nor suggests a one-way radio receiver and a synchronization component configured to synchronize an acknowledgement message to a desktop component. Further, Parkinson et al. does not contemplate transmitting the synchronized acknowledgement message from a desktop computer to the originator. For these reasons, Applicants submit that independent claim 52 is allowable over the reference cited. Withdrawal of the rejection is respectfully requested.

In summary, Applicants respectfully traverse the arguments presented in the Final Office Action. Claims 45-52 are pending and are believed to be allowable. Entry of this amendment and favorable action is respectfully requested.

Respectfully Submitted

WESTMAN, CHAMPLIN & KELLY, P.A.

By:   
Joseph R. Kelly, Reg. No. 34,847  
Suite 1400 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312